

NO. 447

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

November 6, 2003

MINUTES

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE REGIONAL COUNCIL. AUDIO CASSETTE TAPE OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING IN SCAG'S OFFICE.

The Regional Council of the Southern California Association of Governments held its meeting at the SCAG Offices downtown Los Angeles. The meeting was called to order by the President, Mayor Bev Perry, City of Brea. There was a quorum.

**Members Present**

Mayor Bev Perry, Brea, President	District 22
Councilmember Ron Roberts, Temecula, 1 <sup>st</sup> VP	District 5
Supervisor Hank Kuiper, Imperial County, 2 <sup>nd</sup> VP	
Supervisor Marion Ashley, Riverside County	
Supervisor Chirs Norby, Orange County	
Councilmember Jo Shields, Brawley	District 1
Councilmember Greg Pettis, Cathedral City	District 2
Mayor Ron Loveridge, Riverside	District 4
Mayor Lee Ann Garcia, Grand Terrace	District 6
Mayor Bill Alexander, Rancho Cucamonga	District 9
Councilmember Gary Ovitt, Ontario	District 10
Mayor Lawrence Dale, Barstow	District 11
Mayor Richard Dixon, Lake Forest	District 13
Councilmember Tod Ridgeway, Newport Beach	District 14
Councilmember Lou Bone, Tustin	District 17
Councilmember Alta Duke, La Palma	District 18
Councilmember Ron Bates, Los Alamitos	District 20
Councilmember Art Brown, Buena Park	District 21
Councilmember Paul Bowlen, Cerritos	District 23
Councilmember Gene Daniels, Paramount	District 24
Councilmember Keith McCarthy, Downey	District 25
Councilmember Judy Dunlap, Inglewood	District 28
Councilmember Frank Gurule, Cudahy	District 27
Councilmember Tonia Reyes-Uranga, Long Beach	District 30
Mayor Pro Tem Bea Proo, Pico Rivera	District 31
Councilmember Margaret Clark, Rosemead	District 32
Councilmember Dick Stanford, Azusa	District 33

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### **Members Present – Cont'd**

Councilmember Paul Talbot, Alhambra	District 34
Councilmember Harry Baldwin, San Gabriel	District 35
Councilmember Sid Tyler, Pasadena	District 36
Councilmember Tom Sykes, Walnut	District 37
Councilmember Llewellyn Miller, Claremont	District 38
Councilmember Paul Nowatka, Torrance	District 39
Councilmember Bob Yousefian, Glendale	District 42
Councilmember Dennis Washburn, Calabasas	District 44
Vice Mayor Toni Young, Port Hueneme	District 45
Councilmember Glen Becerra, Simi Valley	District 46
Councilmember Carl Morehouse, San Buenaventura	District 47
Councilmember Debbie Cook, Huntington Beach	District 64
Councilmember Ted Burgnon, Town of Apple Valley	District 65
Councilmember Robin Lowe, Hemet	RCTC

### **Members Not Present**

Supervisor Yvonne Burke,	LA County
Supervisor Zev Yaroslavsky	LA County
Supervisor Judy Mikels,	Ventura Cnty.
Councilmember Charles White, Moreno	District 3
Councilmember Susan Longville, San Bernardino	District 7
Councilmember Deborah Robertson, Rialto	District 8
Councilmember Cathryn De Young, Laguna Niguel	District 12
Councilmember Richard Chavez, Anaheim	District 19
Councilmember Melanie Andrews, Compton	District 26
Councilmember Bonnie Lowenthal, Long Beach	District 29
Councilmember Pam O'Connor, Santa Monica	District 41
Mayor Pro Tem Sandra Jacobs, El Segundo	District 40
Councilmember Mike Dispenza, Palmdale	District 43
Councilmember Ed Reyes, Los Angeles	District 48
Councilmember Wendy Greuel, Los Angeles	District 49
Councilmember Dennis Zine, Los Angeles	District 50
Councilmember Tom LaBonge, Los Angeles	District 51
Councilmember Jack Weiss, Los Angeles	District 52
Councilmember Tony Cardenas, Los Angeles	District 53
Councilmember Alex Padilla, Los Angeles	District 54
Councilmember Bernard Parks, Los Angeles	District 55
Councilmember Jan Perry, Los Angeles	District 56
Councilmember Nate Holden, Los Angeles	District 57
Councilmember Cindy Miscikowski, Los Angeles	District 58
Councilmember Greig Smith, Los Angeles	District 59
Councilmember Eric Garcetti, Los Angeles	District 60
Councilmember Antonio Villariagosa, Los Angeles	District 61

Councilmember Jeff Miller, Corona  
Councilmember Janice Hahn, Los Angeles  
Mayor James Hahn, Los Angeles  
Mayor Bill Davis, Simi Valley

District 63  
District 62  
At-Large  
VCTC

### **Staff Present**

Mark Pisano, Executive Director  
Jim Gosnell, Deputy Executive Director  
Bert Becker, Chief Financial Officer  
Colin Lennard, General Counsel  
Karen Tachiki, Chief Counsel  
Hasan Ikrata, Director, Planning & Policy  
Jim Sims, Director, Information Services  
Shelia Stewart, Executive Assistant

### **1.0 CALL TO ORDER & PLEDGE OF ALLEGIANCE**

Led by Councilmember Art Brown, City of Buena Park

### **2.0 PUBLIC COMMENT PERIOD**

There were no comments presented at this time.

### **3.0 CONSENT CALENDAR**

#### **3.1 Approval Items**

##### **3.1.1 Approve Minutes of October 2, 2003**

It was noted that the recommended action on page 6 item 4.2.2  
Should be corrected to say "aforementioned recommendation"/

##### **3.1.2 Approval of Contracts**

- Crown Consulting

##### **3.1.3 NARC Dues FY 2003-2004 for \$12,500**

##### **3.1.4 Approve assignment to the Transportation Corridor System the following Amended and Restated MOUs - Amended and Restated Memorandum of Understanding between SCAG and the Foothill/ Eastern Transportation Corridor Agency Regarding Implementation of Toll Pricing Policy**

- Approve assignment to the Transportation Corridor System the following Amended and Restated MOUs Amended and Restated Memorandum of Understanding By and Between SCAG and San Joaquin Hills Transportation Corridor Agency Regarding Implementation of Toll Facility Pricing Policy

Approval only with the understanding if the merger takes place.

3.1.5 Amend Resolution 03-446-2 of the Joint Powers Insurance Authority (JPIA) MOU & Amend Resolution 03-446-3 covering volunteers in the Self Insurance changing the date to Dec. 1, 2003

3.1.6 Adopt Resolution 03-447-1 For JPIA for Liability Insurance

## 3.2 Receive & File

3.2.1 Conflict of Interest - (Info Only)

- Aquent
- HP Direct
- IBM Corporation

3.2.2 Summary of Key Issues and Actions taken by the Policy Committees in October

Correction was noted by Councilmember Tonia Reyes on actions taken by the EEC's as noted in the report.

3.2.3 SCAG Legislative Matrix

## 3.3 PRESIDENT'S REPORT

3.3.1 Appointments

Ho. Lyle Albert, Hemet, representing WRCOG was appointed to the CEHD Committee; Hon. Jon Harrison, Redlands, representing SANBAG, was appointed to the EEC; Hon. Grieg Smith, Los Angeles, was appointed to the Aviation Task Force.

It was MOVED (Bates), SECONDED (Brown) and UNANIMOUSLY APPROVED to approve the appointments.

### 3.3.2 Cancellation January 1, 2004 meeting

Mayor Perry stated that the January 2004 meeting would fall on January 1 therefore the date would have to be changed. She stated that staff evaluated what issues could be time sensitive. Currently it is anticipated that the RC will be asked to approve the release of the Draft EIR and the RTP for public comment at the December meeting. If that schedule slips or if there is an issue at the December meeting, then a January action maybe necessary. The draft must be released in January in order to meet the time periods required for public comments, therefore, it has been suggested that the RC delegate the authority to the Executive Committee to authorize release of the draft EIR for public comment.

If the Executive Committee takes an action in January, they will report back to the RC on their actions at the February meeting. If the draft EIR is not ready for RC consideration at the December meeting, staff will provide a report on the status of the draft and identify the significant issues which have caused the delay in the schedule.

It was MOVED (Brown), SECONDED (Becerra) and UNANIMOUSLY APPROVED to delegate authority to the EC to authorize release of the Draft EIR for public comment in January.

### 3.3 EXECUTIVE DIRECTOR'S REPORT

Mark Pisano stated that his report was emailed and distributed to members. An oral report was not presented due to the time. However Mr. Pisano stated that he would address any concerns or questions, if any, after the meeting.

## 4.0 ACTION ITEMS

### 4.1 Administration Committee Report

#### 4.1.1 Adopt Resolution 03-447-2 approving 2003-2004 OWP Amendment #1

It was MOVED (Dixon), SECONDED (Lowe) and UNANIMOUSLY APPROVED to waive reading of Resolution 03-447-2 approving 2003-2004 OWP Amendment #1.

#### 4.1.2 Proposed Travel Reimbursement Policy for Appointed Committee Members

It was MOVED (Dixon), SECONDED (Bates) and UNANIMOUSLY Approved with the following amendments:

- The meeting must be held at SCAG offices.
- Reimbursement is limited to members who are not working for or receiving a stipend from a public agency.
- Are not Regional Council members or other subregional representatives.
- Reimbursement is in accordance with Caltrans and SCAG travel policies including submitting supporting documentation.

4.2 Transportation & Communications Committee (TCC) Report

4.2.1 Comments to LAX Master Plan/Draft Environmental Impact Report

It was MOVED (Garcia), SECONDED (Lowe) with one OBJECTION (Dunlap) to approve forwarding comments to LAWA

4.3 Energy & Environment Committee (EEC) Report

4.3.1 Scope of the Program Environmental Impact Report for the 2004 RTP

As part of the PILUT process (Planning for Integrated Land Use and Transportation), the state-mandated Program Environmental Impact Report (EIR) has been coordinated with the RTP and Growth Visioning efforts. This integrated environmental review process is underway and making progress. The schedule was presented which outlined the major milestones in the EIR process.

It was MOVED (Young), SECONDED (Brown) and UNANIMOUSLY APPROVED to receive & file the report.

4.4 Community, Economic & Human Development (CEHD) Report

There was no report presented at this time.

4.5 Communication Task Force Report

Presented under the President report.

#### **4.6     Audit/Best Practice Committee Report**

Councilmember Tyler, chair, stated that with regard to the audit there were a number of improvements from the prior year, although this audit does not contain comparisons to last year due to the shift in accounting methodology. Councilmember Tyler also stated that Tom Snow, KPMG reported that SCAG's financial statements appear to meet the rigorous requirements of the Governmental Finance Officer's Association and will be submitted for award consideration.

### **5.0     INFORMATION ITEMS**

#### **5.1     Monthly Financial Report**

Charlie Wagner, Acting Manager, Finance, reported that the Line of Credit has decreased and the Working Capital has increased, indicating that SCAG is moving in the right direction its financial management.

### **6.0     FUTURE AGENDA ITEMS**

There were no requests for future items on the agenda.

### **7.0     LEGAL COUNSEL REPORT**

#### **7.1     Closed Session**

It was MOVED (Bates) SECONDED (Brown) and UNANIMOUSLY APPROVED to enter into closed session.

- Conference with Real Property Negotiators: Government Code section 54956.8 Authorization to negotiate price, terms and conditions of sublease for building space at 818 West Seventh St. Los Angeles. Negotiator, Sierra Commercial Services, Inc.

The RC reconvened at 1:45 p.m into open session. IT was reported that staff was authorized to negotiate terms & conditions of sublease for 818 building space.

The remaining items were not discussed at this time.

- Morrison Claim  
Conference with Legal Counsel – anticipated litigation  
Significant exposure to litigation pursuant to California Government Code Subdivision C §54956.9

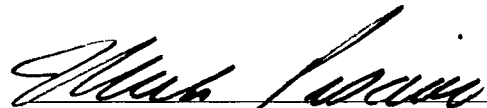
- HDR Appeal  
Conference with Legal Counsel – anticipated litigation  
Significant exposure to litigation pursuant to California  
Government Code Subdivision C §54956.9 (one potential case)
- SCAG v. HCD & BT&H  
Conference with Legal Counsel - existing litigation to be  
heard in closed session in pursuant to California  
Government Code Section §54956.9(a)

#### 9.0 ANNOUNCEMENTS

There were no announcements presented at this time.

#### 10.0 ADJOURNMENT

The next meeting is scheduled for Thursday, December 4, 2003 at SCAG Offices.

  
Mark Pisano, Executive Director